

This is not to suggest, Mr. Speaker, that the post office should be immune. Like any business or government agency, we all, in these difficult times, in changing circumstances, need to consider new ways of doing business. And my conversations with people in the Postal Service, with men and women who work there, postal supervisors, letter carriers, the postmasters, they all have ideas. They all are interested in being part of a solution, and I hope that Congress approaches this in the same fashion.

Last but not least, part of this infrastructure that ties this together needs to be looked at in a broad context. We have all been deeply concerned about national security in the aftermath of 9/11, the anthrax situation we had here and potential pandemics where there are health crises—how are we going to deal with people quickly in times of need to get them information, to check on people, to distribute potential medicines? You know, the Postal Service with two-thirds of a million employees, a nationwide network of over 30 facilities, people who have equipment, who have know-how, knowledge of the community, the same way they help people with the right tax forms or immigration, could also be a resource in time of natural disaster, epidemic, or terrorism.

Let's think big. Let's think fairly. Let's not have an artificial crisis. Let's deal meaningfully with this critical resource that America has developed over the last 235 years, not scapegoat the employees, not scapegoat the management and have Congress be able to have it both ways, saying treat it like a business but not giving them the flexibility. I think it's time to take a deep breath, look at the resource and what it means for America, particularly rural and small town.

Thank you, Mr. Speaker, for the opportunity to share some observations on this important topic, and I yield back the balance of my time.

#### BALANCED BUDGET AMENDMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 30 minutes.

Mr. GOHMERT. Mr. Speaker, we are living in interesting times. As I understand it, that's a bit of a Chinese curse: May you live in interesting times. Well, we're here, not exactly as perhaps the Founders would have hoped, where we would have an executive branch that just declares, without consulting Congress, that he's going to commit American military to an action without knowing really who he's helping in Libya, without knowing exactly what's going to happen once we finish helping them, and without knowing just how much we're going to suffer and just how much our closest allies, like Israel, are going to suffer after this President unilaterally, without con-

sulting Congress, commits our most valuable asset, American lives, not to mention the Treasury and American equipment.

For those who have ears and those who have eyes, they understand that when the President says, Oh, but we're not to worry, eventually we'll turn it over to NATO, and then has a grandiose announcement we're turning it over to NATO, that actually the United States military is 65 percent of NATO's military, because there's supposed to be a regular order to things. And, in fact, Republicans ran last year saying we're going to get back to regular order. One of the things we went through for the preceding 4 years with the Democratic majority and Speaker PELOSI in charge was the Democratic majority came to the House floor over and over with bills that had not gone through committee process, and then they were brought to the floor with no opportunity to make any amendments whatsoever.

Well, one of the things we have done this year, we've had lots of amendments. We've had an incredibly open process on the floor compared to what had happened the preceding 4 years when there were more closed rules than there had been in the history of the country, meaning no input, basically shutting out almost half of America that Republicans represented. It was "our way and no highway." That's not the way regular order was supposed to go.

And we were assured by our own leadership, of course, that, once we had the majority, it was back to regular order. And then over and over, big things had to be dealt with. Not that they couldn't have been foreseen. It could be reasonably foreseen that a continuing resolution was going to have to occur. And lo and behold, it came upon us in the spring as if it had never been contemplated, and we were told there was no time for regular order on these things. We just have to do it. Can't have amendments. Can't cut off funding for ObamaCare even though we cut off funding for some other things that otherwise would be considered legislating; but since it was part of the bill as it came directly from committee, we were told it was okay. So the Rules Committee waived any point of order objections. Now, that's inside baseball; but the bottom line is, even though we have done a better job of allowing amendments here on the floor, we still haven't gotten back to regular order. We have gone from one crisis to another crisis and have had to tell America, gee, this is another crisis so we don't have time to go through regular order.

As I understand it, tomorrow most likely, possibly Friday, we're going to have a balanced budget amendment brought to the floor. It was part of the debt ceiling agreement that was negotiated the end of July, the end of the summer session before the August recess. We were going to have a vote on

a balanced budget amendment, but there was no specification as to what balanced budget amendment it would be.

Well, along the lines of the so-called regular order, we have had a balanced budget amendment. We've had hearings on it. We've had it marked up out of subcommittee, committee, and it came to the full Judiciary Committee and we had a long, protracted markup. In other words, markup is simply the hearing where anybody can bring any amendment and we have debate, full debate, and anybody on the committee who has any amendment they want to bring to that bill, they can bring it to the bill. That's regular order. We had that in committee on the balanced budget amendment. And our good friend from Virginia who has been such a long-suffering valiant warrior for a balanced budget amendment, it was his bill, House Joint Resolution 1.

□ 2100

I had an amendment to that resolution that actually changed the cap on spending from 20 percent of gross domestic product to a cap of 18 percent of the gross domestic product, and that amendment passed.

That's regular order. That's how you do it. Some of us had amendments that didn't get passed, but we still had the chance to bring them to speak on them, debate on them, have every other Member on the committee who wished to speak on every amendment be heard. Those things make for long, drawn-out hearings, and that's what we had. That's called regular order. That's because everybody who is involved can have input. And that's what we had.

After that long, protracted process, we voted out of committee, affirmatively bringing out of committee, voting out of committee with a majority of those on the committee voting for the ultimate product. After that long, arduous debate and voting process, we voted out of committee a balanced budget amendment.

Now I'm given to understand the Rules Committee has taken up a different balanced budget amendment, and we're told we didn't need to go through regular order for that. We're bringing a balanced budget amendment that did not come out of committee and that was not voted out of committee.

And, gee whiz, it reminds me a great deal of the outlandish hearings that the Energy and Commerce Committee had when they came forth with a 1,000-page health care bill in the last Congress. And there was a lot of strong-handedness that brought that bill out of committee, and it was clear from the polls that that was not what America wanted. But, then, by the time Speaker PELOSI, Leader REID down the Hall, and President Obama had their say, that 1,000-page bill that was voted out of committee turned into, ultimately, a 2,000-page bill.

And that came to the floor not under regular order, because it just appeared.

Nobody knew who had written it. But when we took the majority, we were going to do better. America would be able to see the debates, listen to the debates, see who was taking what position, see who was pushing what amendments, see what got voted out of committee and would have some confidence that that would be what would come to the floor.

Well, this week we're going to take up a balanced budget amendment that didn't come out of committee, but we're told we've got to vote for it because it's another crisis. We've got to. It doesn't have a spending cap on it, not even the 20 percent of GDP that was amended down to 18 percent—none of that. Regular order would mean that we bring something to the floor that was voted out of committee.

At some point, we have got to get back to regular order which was promised to the American people if they would put us back in charge. And it's good politically for both parties because each side gets to show in committee and here on the floor what amendments they're pushing for. They pushed for them in committee and pushed for them here on the floor. So by the time a law gets passed, it's been fully debated and talked about.

That was one of the problems with the last majority. They were shoving bills down our throats, down America's throats, without any real debate. And that's how you could get a comment from a Speaker like, gee, we've got to pass the bill to find out what's in it. That's because it never went through a subcommittee process, a committee process, came to the floor without full and open amendment debates. No, we just bypassed all that.

And one of the things that has hurt this country and has hurt this Congress is we haven't gotten back to regular order like we were supposed to. We've done a lot better, a whole lot better, because of all the amendment debate. But we haven't gotten back to regular order.

So we're going to bring a balanced budget amendment to the floor that's different from the one that was fully debated, have a full opportunity for amendment at committee; but we're not going to have that opportunity on the floor. No, sir, not going to have it. We're told we can't have a spending cap in the one we're going to have on the floor. Why? Well, not because the committee voted it down—they didn't; not because the body voted not to have it here in Congress, but because we're told that what came out of committee cannot be what comes to the floor.

I recall people previously saying that regular order makes for better law and allows the House to work its will. Well, how is it that we're not going to be taking up the balanced budget amendment that came out of committee? That's regular order. That's the House working its will. What staff member decided that we weren't going to get to have a spending cap that we could debate and vote on?

We know that staff members had a lot to do with ObamaCare, or the President's health care bill, because there's a provision in there that exempted the Speaker's staff from having to be under ObamaCare when all the rest of us were going to have to be under it, including Members. So you kind of figure they must have staff writing that one.

Well, what staff member decided that we couldn't bring to the floor the balanced budget amendment that came through regular order out of committee? That balanced budget amendment was fully debated, a full opportunity to amend in committee, but regular order means we would have that same opportunity with the whole body here. Well, who was it, a staff member? Who was it that just decided we can't do what the body decided was the will of the committee and the will of the House? Who intervened? I really don't know.

The right thing to do would be to bring the balanced budget amendment with the spending cap. Now, there were all kinds of amendments addressing the spending cap. Some folks didn't want it. They lost. There was the provision for a supermajority to raise taxes on that bill that was voted out of committee. Well, that's not in the balanced budget amendment. Why? I don't know why. We're told we're bringing to the floor a balanced budget amendment that appeared, and we didn't have anything to do with bringing it out of committee. We were told that we've got to pass this one because it's the only one that has a chance to pass, even though the Senate says they're going to bring it down, even though we've got Democratic leadership saying they're going to bring it down.

If people on the other side of the aisle in the House and the majority in the Senate say they're going to bring it down, then why aren't we bringing to the floor a balanced budget amendment that a majority voted for and debated and amended and voted down amendments and passed it out to come to the floor in that order?

How is it that we're trying, once again, in the House, as a majority, to strive to pass a bill to hit a mark that we think maybe there might be some chance that the Senate may pass as well, when we're told that it's not everything we believe in, but we're not going to get everything we believe in because we're going to try to do something the Senate will do?

□ 2110

Well, if we've been told repeatedly that the Democrats are not going to assist, that the Senate is going to vote it down, then why not bring to this floor what we believe in our hearts as a majority ought to be passed?

It's going to make it real confusing a year from now in November for voters when the Republican majority in the House is going to have to go back, as the Founders envisioned, and face our constituents, and even though we were

in the majority, we didn't bring to the floor the things that we believed in; we brought to the floor things we were hoping maybe the Senate would agree to go along with.

We're bringing to the floor what's called a minibus that's going to have some appropriations in it, but actually, it went through the conference process. Yet the underlying bill that passed out of the House was not a bill that a majority in the House really thought would be the best; it was a bill that we thought maybe the Senate would pass. So we compromised with ourselves in the majority in the House, thinking if we compromised with ourselves in the House that maybe the Senate would vote through just what we passed. But no, they didn't; they compromised with us further after we compromised with ourselves trying to hit the mark that we thought they would pass.

So it goes to conference committee and we're further required to compromise with ourselves. What was the sense of that? And now we have to vote on a bill, an appropriations bill where we didn't even start out hitting the mark we thought was best, but, rather, hitting the mark that we thought, gee, maybe the Senate would pass? It's going to be confusing to voters because we're going to say, Here are the things we believe in, next year in November, and they're going to say, Why didn't you pass that? And apparently the response is supposed to be, Well, because we were trying to pass something we thought the Senate would pass. And the voters are going to respond, Well, what about the principle you told us in November of 2010 you were going to stand on?

And unless we get back to the regular order in this body, we're going to be in trouble, because we need to be able to show the voters in America we passed in the House what we believed with all our hearts was best for America. We were going to cut spending, so we cut spending. We cut over \$4 trillion over 10 years. We ought to be able to tell the American public that, but instead we have to tell them, Well, no, we were trying to hit a mark that wasn't too high because we were hoping the Senate would just pass it without the need for a conference. That's why it will be confusing to voters. Well, I know you're saying that you believed in those things, but that's not what you passed.

It's time to start passing what we as the majority in the House believe is right and force the Senate to pass what they think is right. The big giveaway spending bills, force them to pass those. Don't come down here and compromise with ourselves and have a spending bill that we think—even though it spends more than we think is appropriate—we think, gee, maybe the Senate will go along because that looks to the American public like we're just like the Democratic-controlled Senate. But if we stand firm on principle in this body and we say, Here's what we

believe in; here's what went through regular order; here's what was passed out of the Judiciary Committee; here's the balanced budget amendment, and we took it to the floor and we have wide open amendments, wide open debates, the American public could see this body at work, and we would pass what we believe is right for America and then force the Senate to pass what they believe is right for America and not continue to give the Democrat majority—who want to spend like crazy—in the Senate, we keep giving them cover because we won't stand on what we believe and pass that here in the House. That's what we ought to be doing.

And that balanced budget amendment ought to be the one that came out of the Judiciary Committee. It ought to have a spending cap. It ought to have a supermajority in order to raise taxes. That was on that bill. Oh, it was debated. There were efforts to strike that part out. There were a lot of amendments—some to strike things like that out, some to put other things in, some to make it weak. But we fought those off successfully in committee and we came out of committee with a good, strong balanced budget amendment, and that's what ought to come to the floor, not the weak-kneed one we're going to get. Because a balanced budget amendment with no cap on spending unfortunately looks like a prescription for spiraling-upward taxes; because we've seen even with a conservative majority in the House, it's just tough to cut spending because we're told we've got to spend to get the Senate to go along with these bills.

It's time to take the tough stands. America's in trouble. It's in big trouble. And as we fight these battles, it doesn't help to have people jumping on a bandwagon that really wasn't the bandwagon they showed themselves to really believe in previously. And by that, I'm talking about Secretary Panetta, Secretary of Defense. He wrote this scathing letter talking about how if the sequestration occurs, hundreds of billions are cut from defense, it could mean the loss of—I believe it was a couple hundred million of our military, which is a little ironic coming from the current Secretary of Defense, because the people on this side of the aisle believe in a strong defense. We all believe that it is our number one job to provide for the common defense, because if we don't do that, all these other things just go away and we're overtaken by people that want to bring down our way of life.

But if you look to what Secretary Panetta was participating in back in the Clinton administration, you get a little better look at what really was believed at the time. You know, we've had President Clinton and those touting his time as President claiming, gee, he's the one President that actually cut the Federal workforce. No, he didn't. He cut the military. He didn't cut the Federal workforce. He cut the

military. That's the only area he cut. And we paid a massive price after 9/11 because we had to gear back up because we once again found having a strong defense is important. Reagan tried to warn us about that. He said people don't get attacked because they're perceived as being too strong. They get attacked when people perceive them as being weak. And that's how we were perceived.

But let's see, in January of 1993, when now-Secretary of Defense Panetta started as a part of the Clinton administration, there were 1,761,481 members of the United States military. In July of 1994, Secretary Panetta started as the Chief of Staff for President Clinton, and that continued through January of 1997. So let's take a look. From the time Secretary Panetta started as a part of the Clinton administration, we went from 1,761,481 members of the military to, in January of '97 when he left the Clinton administration, 1,457,413 members. That's a 304,068 drop in members of the military while he was part of the Clinton administration. Seems to fall a little bit on deaf ears when you have a Secretary crying about cuts to the military when he presided over a far more draconian cut to that same military when he was in charge or was part of the Clinton administration.

□ 2120

The problem is, we can't afford massive cuts to our defense. And at the very time they're okay with that, the President goes down to Australia and says we're going to commit some troops down here too. We've got troops this President's committing all over the place, without any regard, like in Libya or Egypt, to the outcome of what is being done, what's going to happen at the end. And we're going to pay a severe price.

We need to stand for a solid defense. And if we get back to a regular order in this body, where things are voted out of subcommittee, after full chance to amend, voted out of the full committee, with full chance to amend and debate, brought to the floor as they come out of committee, and fully debated, and fully amended here on the floor, America will see who stands for what, and it will be easier for the voters in the next election, and it will be easier for all of us to tell what it is the American voters are wanting because they will have had a clear view of just exactly what they're getting.

I really enjoyed Mark Levin's book, *Liberty and Tyranny*. I think it ought to be a textbook. Let me just finish with this quote from Ronald Reagan that Mark puts in his book:

How can limited government and fiscal restraint be equated with lack of compassion for the poor? How can a tax break that puts a little more money in the weekly paychecks of working people be seen as an attack on the needy? Since when do we in America believe that our society is made up of two diametrically opposed classes, one rich, one poor, both in a permanent state of conflict

and neither able to get ahead except at the expense of the other? Since when do we in America accept the alien and discredited theory of social and class warfare? Since when do we in America endorse the politics of envy and division?

That's what the President's preaching right now. It needs to stop. It's time to provide for the common defense, get back to regular order in this body, and the country will be better off for it.

With that, Mr. Speaker, I yield back the balance of my time.

## BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on November 15, 2011 she presented to the President of the United States, for his approval, the following bill.

H.R. 2447. To grant the congressional gold medal to the Montford Point Marines.

## ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 22 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, November 17, 2011, at 10 a.m. for morning-hour debate.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3869. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bacteriophage of *Clavibacter michiganensis* subspecies *michiganensis*; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2009-0538; FRL-8891-3] received October 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3870. A letter from the Principal Deputy, Department of Defense, transmitting Report to Congress on Impact of Domestic Violence on Military Families, pursuant to Public Law 111-84, section 569 (123 Stat. 2315); to the Committee on Armed Services.

3871. A letter from the Principal Deputy, Department of Defense, transmitting a letter authorizing Brigadier General Scott M. Hanson, United States Air Force, to wear the insignia of the grade of major general; to the Committee on Armed Services.

3872. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2011-0002] [Internal Agency Docket No.: FEMA-8203] received November 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3873. A letter from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting the Department's final rule — TARP Conflicts of Interest (RIN: 1505-AC05) received November 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.